

REMARKS

This communication is a full and timely response to the non-final Office Action dated June 3, 2004. the period of response being extended through a Petition of for One Month Extension of Time submitted herewith, and because October 3, 2004 was a Sunday. By this communication, Applicant has amended the abstract and claims 1, 2, 4, and 5.

The abstract has been amended to improve idiomatic English and further improve the language and format. No new matter has been added.

Claim 2 has been amended to address formal matters. No new matter has been added.

Claim 1 has been amended to recite said rotary shaft is attached to said camcorder main and said base plate assembly is swingably attached along a longitudinal axis of said rotary shaft so that said base plate rotates axially about the rotary shaft; and a weight is attached to a first portion of said base plate assembly so that the center of gravity of said base plate assembly is shifted towards the first portion. . Support for the changes to claim 1 can be found variously throughout the drawings and specification, for example, in Figs. 1, 2, 3A, and 3B, and at page 15, lines 18-22 and page 16, lines 4-17 of the specification. No new matter has been added.

Claim 4 has been amended to recite said rotary shaft is attached to said camcorder main and said base plate assembly is swingably attached along a longitudinal axis of said rotary shaft so that said base plate rotates axially about the rotary shaft. Support for the changes to claim 4 can be found variously throughout the drawings and specification, for example, in Figs. 1, 3A, and 3B, and at page 15, lines 18-22 of the specification. No new matter has been added.

Claim 5 has been amended to recite said optical pickup system and said seek operation mechanism are mounted on a sub-base that is rotatably attached to said base plate along the longitudinal axis of said rotary axial shaft. Support for the changes to claim 5 can be found variously throughout the drawings and specification, for example, in Figs. 1, 3A, and 3B, and at page 15, lines 18-22 of the specification. No new matter has been added.

- Claims 1-7 are pending where claims 1, 4, and 5 are independent.

Rejections Under 35 U.S.C. 102

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as anticipated by *Nakagawa et al.*, European Patent Application No. EP 0851422. Applicant respectfully traverses this rejection.

Claim 1 recites an optical disc camcorder comprising a base plate assembly; a rotary shaft; and a camcorder main body accommodating said base plate assembly and said rotary shaft, wherein said rotary shaft is attached to said camcorder main body and said base plate assembly is swingably attached along the longitudinal axis of said rotary shaft so that said base plate rotates axially about said rotary shaft, and wherein a weight is attached to a first portion of said base plate assembly so that center of gravity of said base plate assembly is shifted toward said first portion.

Claim 4 recites An optical disc camcorder comprising a base plate assembly; a rotary shaft; and a camcorder main body accommodating said base plate assembly and said rotary shaft, wherein said rotary shaft is attached to said camcorder main body and said base plate assembly is swingably attached along the longitudinal axis of said rotary shaft so that said base plate rotates axially about said rotary shaft, and wherein said base plate assembly is provided with an acceleration sensor for detecting degree of acceleration performed by said base plate assembly and a rotation drive mechanism for causing said base plate assembly to be rotated compulsorily in the periphery of said rotary shaft in response to the value detected by said acceleration sensor.

Claim 5 recites an optical disc camcorder comprising a base plate being secured inside of said camcorder main body via damper and fitted with a turn table for rotating an optical disc; a rotary axial shaft; a spindle motor for rotating said turn table; an optical pickup system; and a seek operation mechanism provided for said optical pickup system, wherein said optical pickup system and said seek operation mechanism are mounted on a sub-base that is rotatably attached to said base plate along the longitudinal axis of said rotary axial shaft, and wherein said optical disc is further provided with a skew sensor for detecting skew and a skew correcting mechanism for rotating said sub-base in an axial direction about said rotary axial shaft that cancels the skew in accordance with an output from the skew sensor.

In summary, each of claims 1, 4, and 5 similarly recite an optical disc camcorder having a camcorder main body, a rotary shaft, and a base plate. The rotary shaft being attached to the camcorder main body and the base plate being swingably or rotatably attached, where applicable, about the longitudinal axis of the rotary shaft so that the base plate rotates in an axial direction about the rotary shaft.

Nakagawa discloses a disk recording apparatus having a balanced type biaxial actuator that is designed to slide along a shaft 52. The shaft 52 is fastened to a base 51 and is parallel

to the lateral direction (z-direction) and round bobbin to which the objective lens 25 is fixed. Further, the manner in which the round bobbin 53 is attached to the shaft 52 enables the objective lens 25 to be slidable on the shaft 52 in the z-direction and rotatable in the longitudinal direction. Magnets 56a and yokes 57a are fastened to the base 51 to form a magnetic circuit, which provides the capability for focusing and tracking adjustment of the objective lens 25.

Nakagawa, however, fails to disclose, teach, or suggest at least said rotary shaft is attached to said camcorder main body and said base plate assembly is swingably attached along the longitudinal axis of said rotary shaft so that said base plate rotates axially about said rotary shaft, as recited in the claims. In contrast, *Nakagawa* discloses that the shaft 52 is fastened to a base 51 where the shaft is parallel to the z-direction of the base 51. For at least this reason, *Nakagawa* fails to anticipate the claims.

To properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. See Verdegall Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *Nakagawa* fails to teach each and every feature recited in the claims. Thus, claims 1, 4, and 5 are not anticipated by this reference. Accordingly, Applicant respectfully requests that the rejection of claims 1, 4, and 5 under 35 U.S.C. 102 be withdrawn, and these claims be allowed.

Claims 2 and 3 depend from claim 1, and claims 6 and 7 depend from claim 5. By virtue of this dependency, Applicant submits that claims 2, 3, 6, and 7 are allowable for at least the same reasons given above with respect to independent claims 1 and 5, where applicable. In addition, Applicant submits that claims 2, 3, 6, and 7 are further distinguished over *Nakagawa* by the additional elements recited therein, and particularly with respect to each claimed combination. Applicant respectfully requests, therefore, that the rejection of claims 2, 3, 6, and 7 under 35 U.S.C. §102 be withdrawn, and these claims be allowed.

Conclusion

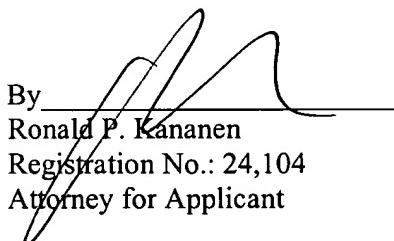
Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-7 are allowable, and this application is in condition for allowance. Accordingly, Applicants request favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicants request that the Examiner contact the undersigned attorney at the number listed below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-1900 from which the undersigned is authorized to draw.

Dated: October 4, 2004

Respectfully submitted,

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Enclosure(s): Abstract of the Disclosure